

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

**SHERMAN A WILSON**  
Claimant

**APPEAL NO. 09A-UI-16777-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**LABOR READY MIDWEST INC**  
Employer

**OC: 10/19/08**  
**Claimant: Appellant (2)**

Iowa Code Section 96.5-1-j – Separation from Temporary Employer

**STATEMENT OF THE CASE:**

The claimant appealed an unemployment insurance decision dated November 5, 2009, reference 11, that concluded he failed to contact the employer within three days following the completion of a temporary work assignment. A telephone hearing was held on December 14, 2009. The parties were properly notified about the hearing. The claimant participated in the hearing. No one participated in the hearing on behalf of the employer.

**ISSUE:**

Did the claimant fail to contact the employer within three days following the completion of a temporary work assignment?

**FINDINGS OF FACT:**

The employer is a staffing service that provides workers to client businesses on a temporary or indefinite basis. The claimant last worked for the employer on a two-day assignment in September 2009. After completing the work assignment, the claimant contacted the employer within three days and requested another assignment, but the employer did not have any immediate work available.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Code section 96.5-1-j provides that individuals employed by a temporary agency must contact their employer within three working days after the completion of a work assignment and seek a new assignment or they will be considered to have voluntarily quit employment without good cause attributable to the employer, provided that the employer has given them a statement to read and sign that advises them of these requirements.

The claimant is not disqualified based on his separation from the employer because he completed his work assignment and contacted the employer requesting a new assignment.

**DECISION:**

The unemployment insurance decision dated November 5, 2009, reference 11, is reversed.  
The claimant is qualified to receive unemployment insurance benefits, if he is otherwise eligible.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/pjs